

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

Clerk's Minutes  
Before the Honorable Kenneth J. Gonzales

CASE NO.: CR 18-3409 KG DATE: 2/14/2019

Time in court: 12 minutes

TITLE: United States v. MAXIMO GONZALEZ-SEBASTIAN, et al.

COURTROOM CLERK: Chris Eubanks COURT REPORTER: Danna Schutte Everett

( ) Albuquerque ( X ) Las Cruces ( ) Santa Fe ( ) Roswell

( ) Bench warrant ordered INTERPRETER: NONE

ATTORNEYS PRESENT FOR PLAINTIFF(S):

Luis Martinez  
Kristopher Jarvis  
Matilda Villalobos

ATTORNEYS PRESENT FOR DEFENDANT(S):

Cesar Pierce-Varela (for Gonzalez-Sebastian)  
Ken Del Valle (for Garcia-Gutierrez) (present)

TYPE OF PROCEEDING: Telephonic Status Conference

EVIDENTIARY: No

PROCEEDINGS:

**11:01 a.m. Court in Session**

Court: Counsel enter appearances. Defendants are not present. Three defendant case; however, one defendant has plead. On call of the calendar for March, inquires as to status of case for arranging docket for March. Inquires of counsel on status.

Mr. Martinez: Plea agreements to counsel; advised Mr. Pierce-Varela was intending to go to trial but will speak with counsel; and Mr. Del Valle's counsel may cooperate.

Court: Ongoing negotiations.

Mr. Pierce-Varela: Spoke with client this morning and will proceed to trial.

Mr. Del Valle: Ongoing negotiations; will meet with client and will advise Mr. Martinez how will plea. If not, ready to go to trial on March 18.

Court: Intent is to check status and determine when to set matter for trial. Inquires of length of trial.

Mr. Martinez: 5 days total, choosing jury to verdict. Discussed motion to continue with Mr. Del Valle, reasons for continuance and no objection to a continuance.

Court: History of case.

Mr. Del Valle: Intended to file motion to continue; conversation with Mr. Martinez agree to date in May; Mr. Pierce-Varela could not agree to a date in May. Trial already set in Kansas. All will be moot if client accepts Government's offer. Not available March 24 - 25.

Court: Inquires of availability for trial on March 18.

Mr. Del Valle: Yes.

Mr. Pierce-Varela: Spoke with client, wants to proceed to trial to get this done.

Court: Will look at the docket to schedule trial. Busy April docket with 3 week trial scheduled. Anything else.

Mr. Martinez: Inquires of trial in April.

Court: Advises of the trial set and counsel assigned. Three weeks set aside.

Mr. Jarvis: Advises on April trial with a case.

Court: Helpful on this case.

**11:13 a.m. Court in Recess**